

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION

This document relates to:

All Cases Noted on Attached Appendix A

MDL No. 2804

Case No. 1:17-md-2804

JUDGE DAN AARON POLSTER

**MASTER STIPULATION AND [PROPOSED] ORDER DISMISSING WITH
PREJUDICE CLAIMS PURSUANT TO WEST VIRGINIA CVS SETTLEMENT**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record for the Plaintiff West Virginia Subdivisions identified in Appendix A (collectively, “Dismissing WV Plaintiffs”) and Defendant CVS Pharmacy, Inc. (together with the Released Entities, “CVS”¹) that, pursuant to the election of each Dismissing WV Plaintiff to participate in the CVS West Virginia Settlement attached hereto as Appendix B, all claims of each Dismissing WV Plaintiff against any Released Entity that is a defendant in any action listed in Appendix A are hereby voluntarily **DISMISSED WITH PREJUDICE**, with each party to bear its own costs.

¹ The CVS West Virginia Settlement is between the State of West Virginia and CVS Pharmacy, Inc., but the settlement provides for participation by the Dismissing WV Plaintiffs conditioned on their agreement, among other things, to release and dismiss their claims against all “Released Entities,” which includes, among other CVS entities, CVS Health Corporation, CVS TN Distribution, L.L.C., CVS Rx Services, Inc., CVS Indiana, L.L.C., and West Virginia CVS Pharmacy, L.L.C. Appendix B § II.HH.

Dated: August 21, 2023

Respectfully submitted,

Agreed as to form and substance:

CVS

/s/ Eric R. Delinsky

Eric R. Delinsky
Alexandra W. Miller
Paul B. Hynes, Jr.
ZUCKERMAN SPAEDER LLP
1800 M Street NW, Suite 1000
Washington, DC 20036
(202) 778-1800
E-mail: edelinsky@zuckerman.com
E-mail: smiller@zuckerman.com
E-mail: gbush@zuckerman.com
E-mail: phynes@zuckerman.com

Counsel for CVS Pharmacy, Inc.

DISMISSING WV PLAINTIFFS

/s/ John D. Hurst

Joseph F. Rice
Anne McGinness Kearse
Motley Rice
28 Bridgeside Blvd.
Mount Pleasant, SC 29464
843-216-9000
843-216-9450 (fax)
jrice@motleyrice.com
akearse@motleyrice.com

John D. Hurst
Motley Rice
50 Clay Street, Suite 1
Morgantown, WV 26501
304-413-0457
jhurst@motleyrice.com

Counsel for

Bluefield City (1:18-op-45659)
Braxton County (1:18-op-45313)
Buckhannon City (1:18-op-46085)
Charleston City (1:18-op-45224)
Clendenin Town (1:18-op-46127)
Dunbar City (1:18-op-45546)
Fort Gay Town (1:18-op-45225)
Gauley Bridge Town (1:18-op-46278)
Granville Town (1:18-op-45320)
Huntington City (1:17-op-45054)
Huntington City (1:18-op-45984)
Kenova City (1:18-op-46346)
Milton City (1:18-op-45321)
Montgomery City (1:18-op-46128)
Nicholas County (1:18-op-45314)
Parkersburg City (1:18-op-45315)
Princeton City (1:18-op-46054)
Saint Albans City (1:18-op-45269)
Smithers City (1:18-op-45319)
Sophia Town (1:18-op-46129)
Summersville City (1:18-op-45316)

/s/ Anthony J. Majestro
Anthony J. Majestro
Powell & Majestro
Ste. P1200
405 Capitol Street
Charleston, WV 25301
304-346-2889
304-346-2895 (fax)
amajestro@powellmajestro.com

Counsel for
Cabell County (1:17-op-45053)
Fayette County (1:17-op-45062)
Kanawha County (1:17-op-45052)
Wayne County (1:17-op-45052)

/s/ Andrew C. Skinner
Andrew C. Skinner
Laura C. Davis
Macon Bryan Epps Gray
Stephen G. Skinner
Skinner Law Firm
P.O. Box 487
Charles Town, WV 25414
301-725-4029
304-725-4082 (fax)

Counsel for
Berkeley County (1:17-op-45171)
Charles Town City (1:18-op-45332-DAP)
Jefferson County (1:19-op-45087-DAP)

/s/ Aaron L. Harrah

Aaron L. Harrah
Hill, Peterson, Carper, Bee & Deitzler
500 Tracy Way
Charleston, WV 25311
304-345-5667
Fax: 304-345-1519
aaron@hpcbd.com

Counsel for
Greenbrier County (1:19-op-45080)
Vienna City (1:19-op-45042)

/s/ Christopher M. Davis

Christopher M. Davis
Wooton Davis Hussell & Ellis
201 North Kanawha Street
PO Box 2600
Beckley, WV 25802
304-255-2188
304-255-2189 (fax)
chris.davis@wwdhe.com

Counsel for Raleigh County (1:22-op-45028)

SO ORDERED this ____ day of _____, 2023.

Hon. Dan Aaron Polster
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on August 21, 2023, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF system.

/s/ John D. Hurst
John D. Hurst